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12.3.4/2.1
9-20-12

U.S. EPA
CERCLA SECTION 104(e)
INFORMATION REQUEST
WITH RESPONDENT'S RESPONSES

Respondent: Representative of Long Painting Company
c/o Ahlers & Cressman PLLC

Site: Lower Duwamish Waterway, Seattle WA

Long Painting Company
S Elmgrove St. and 10th
Ave. S Seattle, WA 98108

King County Parcels: 2185000590
2185000610
3224049002
3224049003 Now included in 7327901215
3224049004 Never belonged to Long's 1040 S Elmgrove
3224049037
7327900915
7327901045
7327901055
7327901065 Never belonged to Long's 1015 S Elmgrove
7327901095
7327901215
7327906900
7327906930
7327907020

Date: First involvement at the Site to present

Note: This Information Request includes instructions for responding to this request and definitions of words such as "Respondent," "Site," and "identify" used in the questions.

RESPONSE PERTAINING TO KING COUNTY TAX PARCEL NUMBERS

This response pertains to property formerly leased by Long Painting Company ("LPC") commonly referred to as South Elmgrove Street and 10th Avenue South, Seattle, Washington 98108 (the "Subject Property"). With two exceptions, the Subject Property comprises the King County tax parcel numbers reflected on page 1 of the U.S. EPA CERCLA Section 104(e) Information Request provided to LPC on May 22, 2012. Based upon information available to LPC, Tax Parcel Nos. 3224049004 (1040 S Elmgrove St., Seattle, WA 98108) & 7327901065 (1015 S Elmgrove St., Seattle, WA 98108) were at no time owned by LPC's landlords, Ty Long and Anne Long (Faust) or Tytanic, LLC. LPC did not perform any commercial, industrial or other functions on these parcels. Moreover, Tax Parcel No. 3224049002 was subsequently combined with Tax Parcel No. 7327901215.

INFORMATION REQUEST QUESTIONS WITH RESPONSES

1) Respondent Information

- a) Provide the full legal name and mailing address of the Respondent.

**Long Painting Company, a Washington Corporation
21414 - 68th Avenue
Kent, WA 98032**

- b) For each person answering these questions on behalf of Respondent, provide:

- i) full name;
- ii) title;
- iii) business address; and
- iv) business telephone number and FAX machine number.

**Mike Cassidy, President
Denica Bucklin, Secretary Treasurer
Long Painting Company
21414 - 68th Avenue
Kent, WA 98032
Phone : (253) 234-8050
Fax : (253) 234-0034**

- c) If Respondent wishes to designate an individual for all future correspondence concerning this Site, indicate here by providing that individual's name, address, telephone number, and fax number.

**Dale Johnson, Attorney
Van Ness Feldman GordonDerr
719 Second Avenue, Suite 1150
Seattle, WA 98104-1728
Phone : (206) 623-9372
Fax : (206) 623-4986**

- d) State the dates during which Respondent held any property interests at or within one-half mile of the Site.

LPC leased property at the Site from November 1967 until September 2001. Four lease agreements and related documents for the Subject Property contained in the files of LPC are included herewith (Bates Nos. 3217 thru 3248).

- e) State the dates during which Respondent conducted any business activity at or within one-half mile of the Site.

LPC conducted business activities at the Site from November 1967 until September 2001.

- f) Describe the nature of Respondent's business activities at the Site or within one-half mile of the Site.

LPC conducted a commercial and industrial painting contracting business at the site during the period of its tenancy from 1967 to 2001. LPC provides commercial and industrial painting services, and related services throughout the western United States, including Alaska and Hawaii. Approximately 5-10% of LPC's painting and related operations occurred at the Subject Property during its tenancy. The remainder of its operations were conducted at job sites throughout the United States.

Ty Long and his wife, Anne Long (Faust), started the company in 1967 in Seattle, Washington. Mr. Long passed away in 1996. Since 1998, LPC has been owned and operated by three long-term managers. President Mike Cassidy manages the production department; Vice President John Fisher oversees estimating and project management; and Denica Bucklin is the Chief Financial Officer.

The Subject Property served as the location of the company's headquarters. In addition to office buildings, the Subject Property also contained a shop painting facility, vehicle maintenance facility, warehouses, and storage facilities. At the termination of its lease in 2001, LPC relocated to its present facility in Kent, Washington.

- g) In relation to your answer to the previous question, identify all materials used or created by your activities at the Site, including raw materials, commercial products, building debris, and other wastes.

LPC performed commercial and industrial painting and related services at the Subject Property. These services involved the use of paints and coatings unique to individual job orders as directed by the customer. During the course of its operations at the Subject Property, LPC used a variety of paints, sandblast media, and other chemicals in support of its on-site operations.

The most likely materials to have been used in the on-site paint shop facility were paints, resins, acid, petroleum-based and chlorinated solvents (new and spent), sand and steel shot blasting media, hydraulic and motor oils, diesel, gas and petroleum hydrocarbons. Some paints may have contained metals such as arsenic, cadmium, chromium, lead and mercury. Liquid and solid hazardous wastes generated from the operations were drummed and transported to a hazardous waste landfill by a licensed hauler in accordance with state and federal law.

The identities and/or chemical compositions of some of these materials are contained in the following documents provided herewith including Generator Annual Dangerous Waste Reports, Annual Dangerous Waste Report Verifications, Washington State Recycling Credit Reports, and Uniform Hazardous Waste Manifests, as identified on the attached Document Index at Bates Nos. 999-1791; 1812-2421; 2434-2749; 2771-2834.

We note that LPC submitted Synthetic Minor and Chemical Handling Reports to the Puget Sound Clean Air Agency during its operations at the Subject Property. These air-quality related reports are no longer contained in LPC's files due to routine document destruction practices.

- h) If Respondent, its parent corporation, subsidiaries Or other related or associated companies have filed for bankruptcy, provide:
- i) the U.S. Bankruptcy Court in which the petition was filed;
 - ii) the docket numbers of such petition;
 - iii) the date the bankruptcy petition was filed;
 - iv) whether the petition is under Chapter 7 (liquidation), Chapter 11 (reorganization), or other provision; and
 - v) a brief description of the current status of the petition.

There are no bankruptcy filings for LPC or any related entities.

2) Site Activities and Interests

- a) Provide all documents in your possession regarding the ownership or environmental conditions of the Site, including, but not limited to, copies of deeds, sales contracts, leases, blueprints, "as-builts" and photographs. Environmental conditions of the Site includes information related to soil, sediment, water (ground and surface), and air quality, such as, but not limited to:
- i) Any spill, leak, release, or discharge of a hazardous substance, waste, or material at or near the Site;
 - ii) Occurrences of violations, citations, deficiencies, and/or accidents concerning the Site;
 - iii) Remediation or removal of contaminated soils, sediments, or other media at the Site; and
 - iv) Investigations, inspections, sampling, and reports generated by Respondent

and/or others regarding the Site and surrounding area.

Responsive documents including Bates Nos. 46-416; 442-487; 498-970; 990; 996-998 are listed on the attached Document Index.

- b) Provide information on the condition of the Site when purchased or at the beginning of the relevant time period; describe the source, volume, and content of any fill material used during the construction of the buildings, including waterside structures such as seawalls, wharves, docks, or marine ways. Additionally, describe any subsequent improvements, alterations, demolitions, or additions to the physical structures or the Site itself.

All construction, alterations and repairs were performed directly by the landlord or its assigns under control of the landlord. LPC leased the premises from Ty and Anne Long, and Tytanic, LLC (Bates Nos. 3217-3248). Various buildings were demolished or added to over the years to create offices, warehouses and the paint shop facility. See document (Bates No. 42-45; 489-490) for a detailed description of property alterations. No waterside structures were constructed to LPC's knowledge.

- c) Provide all information, documentation, and any permits pertaining to past dredging or filling at the Site.

No dredging or filling of the Duwamish Waterway was performed to LPC's knowledge. During 1999 - 2002 LPC performed a voluntary clean-up of the Site as outlined in the Cleanup action report, former Long Painting Facility, 8025 10th Avenue South Seattle, Washington, Kleinfelder, Inc., October 17, 2002 (Bates No. 442-485). Two underground storage tanks were removed and filled with contaminant-free soil as a part of this process. The Department of Ecology subsequently issued a No further Action Determination for the site. Department of Ecology letter to Mr. Brian Vance Re. Independent Remedial Action, former Long Painting Facility, 8025 10th Avenue South Seattle, Washington, February 4, 2003 (Bates No. 486-487).

- d) Provide information on the condition of the Site when purchased or at the beginning of the relevant time period; describe the source, volume, and content of any fill material used during the construction of the buildings, including waterside structures such as seawalls, wharves, docks, or marine ways. Additionally, describe any subsequent improvements, alterations, demolitions, or additions to the physical structures or the Site itself.

Tytanic, LLC Property Parcel Information, 10th & Elmgrove by King County Parcels Numbers (Bates No. 42-45), and the associated site map (Bates No. 489-490) provide a detailed description of property alterations. All construction, alterations and repairs were performed by the landlords or its assigns under control the landlord, Ty and Anne Long (Faust) and Tytanic, LLC.

At the time of LPC's tenancy, the Subject Property consisted of commercial paint application buildings, automotive operation and repair facilities, office buildings and residential buildings. During the course of LPC's tenancy, the Subject Property was developed with commercial buildings, as reflected on Tytanic, LLC Property Parcel Information (Bates Nos. 42-45), 10th & Elmgrove by King County Parcels Numbers. Many of the existing residences on the property were altered for commercial applications over the years. The residential and office buildings generally consisted of slab-on-grade construction with brick and/or wood-frame construction. The commercial paint application buildings were either wood or steel frame construction with metal or wood siding on concrete floors or asphalt surfaces. Long Painting is not aware of the construction of any waterside structures during its tenancy.

Although some fill soils may have been deposited at various locations as part of the on-site construction, the source, volume and content of any such fill is not known. Fill associated with the removal of underground storage tanks at the Subject Property is addressed in sub-paragraph e below.

- e) Provide all information, documentation, and any permits pertaining to past dredging or filling at the Site.

No dredging or filling of the Duwamish Waterway was performed to LPC's knowledge.

During 2002 LPC performed a voluntary clean-up of the Site as outlined in the Cleanup action report, former Long Painting Facility, 8025 10th Avenue South Seattle, Washington, Kleinfelder, Inc., October 17, 2002 (Bates No. 442-485). Two underground storage tanks were removed and filled with contaminant-free soil as a part of this process. The Department of Ecology subsequently issued a No further Action Determination for the site. Department of ecology Letter to Mr. Brian Vance Re. Independent Remedial Action, former Long Painting Facility, 8025 10th Avenue South Seattle, Washington, February 4, 2003 (Bates No. 486-487).

As reflected in the AGRA Earth & Environmental, Inc. ("AEE") Phase I Environmental Site Assessment ("ESA") (Bates No. 46-127), dated August 19, 1997 (the "AEE Phase I"), in 1996 there was a release of diesel fuel into soil at the Subject Property, which resulted in a small amount of soil removal and backfill.

- f) Provide a brief summary of the activities conducted at the Site while under Respondent's ownership or operation. Include process diagrams or flow charts of the industrial activities conducted at the Site.

LPC is a commercial and industrial painting contractor. Its work is mainly performed at construction sites in the western United States. LPC's

headquarters was at the Subject Property until 2001. Approximately 5% to 10% of LPC's revenues were generated in the shop facility at the Subject Property until 2001. The remainder of the company's revenues were generated at job sites outside the subject property.

The shop facility contained a large self-contained abrasive blast booth and several spray painting sheds outfitted with approved filtered exhaust systems. Abrasive blast operations involved reclamation of blast media (primarily steel shot and garnet). Blast media was reused until no longer serviceable (pulverized to dust), at which time it was collected via a sealed bag house system dust collector and disposed off-site in accordance with applicable hazardous waste disposal regulations.

The work performed at the Subject Property consisted of job shop operations. There was no specific flow of industrial work. Each project was slightly different and used different processes in conformance with customer specifications. In general, pieces would be washed, abrasive blasted or painted depending on the project. All remaining materials associated with these processes were recycled or disposed off-site in accordance with applicable hazardous waste disposal regulations. Documentation of off-site waste disposal related to LPC's operations is included in Bates Nos. 999-1791; 1812-2421; 2434-2749; 2771-2834 as reflected on the attached Document Index.

- g) Provide all documents pertaining to sale, transfer, delivery, disposal, of any hazardous substances, scrap materials, and/or recyclable materials to or from the Site.

All responsive documents contained in LPC's files are listed on the attached Document Index.

- h) Provide all information on electrical equipment used at the Site, including transformers or other electrical equipment that may have contained polychlorinated biphenyls (PCBs).

Transformers, hydraulic equipment and suspected PCB Equipment is addressed in the AEE Phase I (Bates No. 46-127). AEE observed that the transformers on the Subject Property were all labeled to be non-PCB containing. Automobile lifts in the buildings were hydraulically operated, but used a non-hazardous fluid. No other hydraulic equipment or other potential sources of PCB contaminants were on the subject properties or in adjacent right of ways at the time of the AEE report.

AEE observed several pole-mounted transformers on the subject property. No staining or evidence of a release of dielectric fluid was observed on the ground around the transformers. At the time of its report AEE contacted Ms. Mary Yoder-Williams of Seattle City Light for information about the polychlorinated biphenyl (PCB) content of the transformers on the Subject Property. Ms. Yoder-Williams stated that PCB tests regarding these transformers had not been performed and that under federal regulations

(40 CFR 761.3), the mineral oil contained in the transformers was assumed to be "PCB-contaminated" (0 to 499 parts per million). The presence of PCB's in the dielectric fluids of the transformers at the subject property satisfied the definition of a recognized environmental condition but did not likely represent a significant environmental concern for the subject property. AEE also observed that ballasts associated with the fluorescent lighting inside the building may have had a potential to contain PCBs.

LPC does not have independent knowledge of any electrical or other equipment, other than that observed by AEE and referenced in the 1997 Phase I, that may have contained PCBs.

- i) Provide information on the type(s) of oils or fluids used for lubrication of machinery or other industrial purposes, and any other chemicals or products which are or may contain hazardous substances which are or were used at the Site for facility operations.

Oils and lubrication fluids are not used as part of the paint application process. The use of oils and petroleum based lubricants is minimized in painting facilities because of the adverse impacts of such substances on painted surfaces.

Long Painting's operations did involve the use of standard motor oils for vehicles, off-road forklifts, cranes, man lifts and compressors. Hydraulic oils and transmission fluids were used for off-road forklifts, cranes and man lifts. Cleaning of vehicle radiators may have been a source of fluids on the Subject Property. Any excess or spent oils were containerized and returned to the vendor for recycling. Anti-freeze or products containing glycol were containerized separately and returned to the vendor for recycling.

- j) Provide any site drainage descriptions, plans or maps that include information about storm drainage which includes, but is not limited to, above or below surface piping, ditches, catch basins, manholes, and treatment/detention or related structures including outfalls. If available, also include information about connections to sanitary sewer.

Locations of catch basins on the subject property are reflected on the AEE Phase I ESA at Figures 3A and 3B (Bates Nos. 74-75). Based upon a diligent review of available records, it is believed that these are the only documents containing depictions of drainage at the Subject Property in Long Painting's possession.

- k) With respect to past and current site activities, provide copies of any stormwater or drainage studies, including data from sampling, conducted at the Site. Also provide copies of any Stormwater Pollution Prevention, Maintenance Plans, Spill Plans, and any stormwater, process water, or any other discharge permits including all sampling and monitoring reports and data that may have been developed or obtained for different operations during the Respondent's occupation of the property.

Long Painting is not aware of a storm water collection or discharge system at the Subject Property. Storm water was likely surface-channeled and directed off-site to public storm water collection systems.

There were many floor drains and catch basins throughout the Subject Property. Any catch basins or floor drains with a potential to collect hazardous materials were sealed off, either by slumped concrete or covered with a steel plate and full seam welds. Floor drains that did not have the potential to collect hazardous materials are connected to the public sanitary sewer system. These precautions were intended to prevent discharge of paints or solvents to the storm sewers or the Duwamish River.

3) Information About Others

- a) Describe any business relationship you may have had regarding this property or operations thereon with any other entities.

LPC leased the premises from Ty and Anne Long (Faust) and subsequently from Tytanic LLC, an entity controlled by Anne Long (Faust). Ty & Anne Long maintained a 100% ownership interest in LPC until January 27, 1998. On that date, all of the stock was purchased by Denica (Atwood) Bucklin, Mike Cassidy, John Fisher and Jim Minahan, in equal shares.

- b) Provide the names and last known address of any tenants or lessees, the dates of their tenancy and a brief description of the activities they conducted while operating on the above mentioned Site.

In 2001 and 2002, after moving out of the Subject Property, LPC sub-leased the facility to two tenants.

George Third and Sons used the Subject Property as a lay-down yard to stage structural steel members. They performed minor cutting and welding activities on the Subject Property. The portion of the Subject Property that they rented was a 100% asphalt capped area. Their last known contact information is 8305 Dallas Avenue South, Seattle, WA 98108, (206) 763-7237.

Democon used a 100' by 100' asphalt capped area to store empty 20 and 40 cubic yard containers. Democon deployed these containers to various jobsites around south Seattle. Their last known contact information is 405 Porter Way, Unit B, Seattle, WA 98101, (206) 652-1381.

- c) If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous materials to or from, the Site.

Brian Vance was employed by LPC as a facilities manager from January 1979 to May 2006. His last known contact information is (b) (6)

Anne Long (Faust) prior owner of Subject Property
(b) (6)

John Carlson former LPC Safety Director . His last known contact information was (b) (6)

4) Financial Information

- a) Provide true and complete copies of all federal income tax documents, including all supporting schedules, for 2006, 2007, 2008, 2009 and 2010. Provide the federal Tax Identification Number and, if documentation is not available, explain why in detail.

Responsive documents are listed on the attached Document Index these include Bates Nos. 2835-3127. These documents are marked as confidential or as containing personally identifiable information as appropriate.

- b) Provide the Respondent's financial interest in, control of, or that the Respondent is a beneficiary of any assets (in the U.S. or in another country) that have not been identified in your federal tax returns or other financial information to be presented to EPA. If there are such assets, identify each asset by type of asset, estimated value, and location.

Not Applicable.

- c) If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:
- i) a general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily operations or decision-making of the Respondent's business operations at the Site;
 - ii) the dates such relationship existed;
 - iii) the percentage of ownership of Respondent that is held by such other entity(ies);
 - iv) for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity's officers, directors, partners, trustees, beneficiaries, and/or shareholders owning more than five percent of that affiliated entity's stock;
 - v) provide any and all insurance policies for such affiliated entity(ies) which may possibly cover the liabilities of the Respondent at the Site; and
 - vi) provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth.

Not Applicable.

5) Insurance Coverage

- a) Provide copies of all property, casualty and/or liability insurance policies, and any other insurance contracts referencing the site or facility and/or Respondent's business operations (including, but not limited to, Comprehensive General Liability, Environmental Impairment Liability, Pollution Legal Liability, Cleanup Cost Cap or Stop Loss Policies). Include, without limitation, all primary, excess, and umbrella policies which could be applicable to costs of environmental investigation and/or cleanup, and include the years such policies were in effect.

Copies of the requested policies are not presently in the possession of Long Painting Company. A request for available policies is pending with Long Painting Company's former legal counsel.

A chart reflecting insurance coverage is provided at Bates Nos. 3191-3192. Additional correspondence related to insurance coverage is provided at Bates Nos. 3128-3190; 3139-2316.

- b) If there are any such policies from question "5a" above which existed, but for which copies are not available, identify each such policy by providing as much of the following information as possible:
- i) the name and address of each insurer and of the insured;
 - ii) the type of policy and policy numbers;
 - iii) the per occurrence policy limits of each policy; and
 - iv) the effective dates for each policy.

See response to 5(a) above.

- c) Identify all insurance brokers or agents who placed insurance for the Respondent at any time during the period being investigated, as identified at the beginning of this request, and identify the time period during which such broker or agent acted in this regard.

**Parker, Smith and Feek, until the early 1980s (no specific contact)
2233 112th Avenue NE
Bellevue, WA 98004
(425) 709-3600**

**Hurley, Atkins and Stewart, early 1980s until 1995 (no specific contact)
1800 9th Avenue, Suite 1500
Seattle, WA 98101
(206) 682-5656**

**Willis Seattle, 1996 to 2011 (no specific contact)
505 Fifth Avenue South, Suite 200
Seattle, WA 98104
(206) 386-7400**

- d) Identify all communication and provide all documents that evidence, refer, or relate to claims made by or on behalf of the Respondent under any insurance policy in connection with the site. Include any responses from the insurer with respect to any claims.

This information is included in Bates Nos. 3128-3190; 3139-3216.

- e) Identify any previous settlements with any insurer in connection with the site, or for any claims for environmental liabilities during the time period under investigation. Include any policies surrendered or cancelled by the Respondent or insurer.

Not Applicable for environmental claims. Long Painting Company has had various insurable claims over the years.

- f) Identify all insurance, accounts paid, or accounting files that identify Respondent's insurance policies.

Not applicable.

- g) Identify Respondent's policy with respect to document retention.

Long Painting Company's document retention policy is included at Bates Nos. 3349-3251.

6) Compliance with This Request

- a) Describe all sources reviewed or consulted in responding to this request, including, but not limited to:

- i) the name and current job title of all individuals consulted;

**Ms. Deb Crichton (administrative file locator)
K & L Gates
925 Fourth Avenue, Suite 2900
Seattle, WA 98104**

**Max Hanley
Propel Insurance
1201 Pacific Avenue, Suite 1000
Tacoma, WA 98402
(253) 761-3463**

- ii) the location where all documents reviewed are currently kept.

**Long Painting Company
21414 - 68th Avenue South
Kent, WA 98032-2416**

DECLARATION

I declare under penalty of perjury that the foregoing is complete, true, and correct.

Executed on September 20, 2012.


Signature

Denica Bucklin, CPA
Chief Financial Officer
Long Painting Company
21414 – 68th Avenue South
Kent, WA 98032-2416

Mailing Address:

Van Ness Feldman GordonDerr
719 Second Avenue, Suite 1150
Seattle, WA 98104